

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :  
: Case No. 3:05-cr-068 (1)  
Plaintiff, : Judge Thomas M. Rose  
v. :  
DAVID C. LETNER, :  
: Defendant. :

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**ENTRY AND ORDER DENYING DEFENDANT'S MOTION FOR  
COMPASSIONATE RELEASE (ECF 126) WITHOUT PREJUDICE TO  
REFILING.**

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This matter is before the Court upon motion of the defendant for a reduction in sentence pursuant to 18 U.S.C. §3582(c)(1)(A), (ECF 126), to which the government's time to respond has expired. Petitioner David C. Letner informs the Court that he has contracted Gillian-Barre Syndrome. The Court notes that those who contract Covid-19 are at risk of contracting Gillian-Barre Syndrome, *see* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7158817/>, but is not aware of the converse—that having it is a risk factor for Covid-19. *See* <https://www.gbs-cidp.org/a-statement-from-the-gbscidp-foundation-regarding-the-covid-19/>.

After considering the applicable factors set forth in 18 U.S.C. §3553(a) and the applicable policy statements issued by the Sentencing Commission to the extent they are relevant to whether a reduction is warranted, it is hereby **ORDERED** that the motion is **DENIED** after complete review of the motion on its merits.

**DONE** and **ORDERED** in Dayton, Ohio, this Thursday, November 19, 2020.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE